

Application No.: 10/668,323

Docket No.: A8319.0020/P020-B

provider." The "providing..." step is not recited in claims 29-31 of the '324 application. Applicants do not understand what the Office Action means where it says that the step is "inherent" in claims 29-31 of the '324 application. Claims 29-31 of the '324 application are not limited to methods in which "tomographic image data [is provided] to a medical institution by [a] radiological imaging support provider," and the Office Action provides no explanation to the contrary.

Claims 54-57 of the present application are provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 16, 18 and 19 of U.S. Patent Application No. 10/246,450. Reconsideration is respectfully requested.

Claims 54-57 of the present application each recite the step of "providing... tomographic image data to a medical institution by [a] radiological imaging support provider." The step is not recited in claims 16, 18 and 19 of the '450 application, and the Office Action provides no explanation to the contrary. Although the Office Action contends that the step is "well known in the art," it provides no evidence that it would have been obvious in combination with the other recited steps. In the absence of such evidence, the provisional rejection should be withdrawn. See M.P.E.P. § 2144.03.